

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

The Authors Guild, Inc., Association of American
Publishers, Inc., et al.,

Plaintiffs,

v.

Google Inc.,

Defendant.

X

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Case No. 05 CV 8136-DC

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NOTICE OF INTENT TO

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APPEAR BY PRIVACY

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AUTHORS AND PUBLISHERS

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ECF CASE

:

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X

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I, Cindy A. Cohn, hereby notify the Court of my intent to appear at the Fairness Hearing in the above-captioned case, currently scheduled for February 18, 2010 pursuant to the Order of this Court of November 19, 2009 (Document 772). As explained in the Objection filed on September, 8, 2009 (Document 281), I will be appearing as counsel for several objecting members of the proposed Author Sub-Class identified as the Privacy Authors and Publishers.

The Amended Settlement fails to address any of the privacy concerns raised by the Privacy Authors and Publishers. In accordance with the Court's Order of November 19, 2009 (Document 772), therefore, we have not filed an additional objection at this juncture. Nonetheless, our original Objections remain and we wish to address them before the Court at the Fairness Hearing.

Because of the lack of privacy protections in the settlement, the resulting Google Books services will deter readers, thereby harming the expressive and financial interest of authors. It will also harm these authors by interfering with their own freedom to read without being tracked. The Privacy Authors and Publishers were not adequately represented in the settlement negotiations, and the settlement itself is not fair, reasonable or adequate to the class members or to the public.

I hereby certify that I am admitted to practice *Pro Hac Vice* before this Court.

DATED: January 27, 2010

Respectfully submitted,

By /s/Cindy A. Cohn

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